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ABSTRACT

Initial and subsequent contracts that had been negotiated at 41 Illinois, Michigan, New Jersey, and New York community colleges between September 1966 and September 1974 were analyzed to determine whether collective bargaining has been effective in gaining increased participation in decision-making and increased economic welfare. All of the colleges included in the study had negotiated at the institutional level, and had negotiated a minimum of three contracts with a faculty union. Contract provisions related to faculty welfare were divided into seven categories: compensation; insurance; professional and public service leaves; personal leaves; staff development; working conditions; and other faculty welfare provisions. Contract provisions related to institutional decision-making were divided into five categories: rights and responsibilities; workload; personnel policies; grievances; and institutional planning, research, and budgeting. Nine tables of data were examined to identify contractual trends or patterns of change. Findings support the conclusion that collective bargaining contracts are cumulative in nature. The duration of the contract periods tends to increase after negotiation of the initial contract, and the scope of the negotiations tends to broaden with additional contracts. (Author/NHM)

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RESEARCH SUMMARY #1

September 1975

TRENDS AND PATTERNS OF CHANGE IN PUBLIC COMMUNITY COLLEGE COLLECTIVE BARGAINING CONTRACTS

by
Robert H. Kellett

From time to time it is determined that the results of research activity in the field of academic collective bargaining will have significant value when published for and distributed to a limited number of interested persons and/or institutions. Such is the case with this first in the series of research summaries.

This summary of the author's analysis of 137 contracts negotiated at community colleges in Illinois, Michigan, New Jersey and New York outlines findings which indicate that the scope of collective bargaining relative to faculty welfare and institutional decision making is broadened as additional contracts are negotiated.

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Introduction

This study analyzed initial and subsequent collective bargaining contracts negotiated at public community colleges in the states of Illinois, Michigan, New Jersey, and New York to determine if there were contractual trends or patterns of change related to institutional decision making and faculty welfare.

The specific objectives of the study were to determine the frequency of occurance of contract provisions in these areas and to determine the changes which took place in these contract provisions in subsequent contracts at the same community colleges. In addition to analysis of the study population as a whole, the provisions were analyzed from the perspective of institutional size, institutional location and affiliation of the bargaining unit.

The study was prompted by frequent statements in the literature of higher education which asserted that faculty members had chosen collective bargaining as a system of managing the employer-employee relationship because the system would be effective in increasing their participation in institutional decision-making and would increase their economic and professional welfare.

In order to determine whether collective bargaining had been effective in gaining increased participation in decision-making and increased economic welfare, the author analyzed initial and subsequent contracts that had been negotiated at 41 public community colleges between September 1, 1966 and September 1, 1974. All of the colleges included in the study had negotiated at the institutional level and had negotiated a minimum of three contracts with a faculty union. The colleges were selected on the basis of information available from the National Center for the Study of Collective Bargaining in Higher Education.[1] The contract outline suggested by Goodwin and Andes was used as a framework for analysis.[2]

The contracts used in the study were obtained from the colleges or were obtained from the National Center's contract library located at Baruch College, City University of New York. Tables 1 and 2 indicate the representativeness of the contracts analyzed in the study.*

A total of 137 contracts negotiated at 41 public community colleges were analyzed. All of the contracts negotiated by 35 colleges were included in the study.

Contract provisions related to faculty welfare were divided into seven categories for analysis: compensation; insurances;

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* All tables appear at the end of the report.

professional and public service leaves; personal leaves; staff development; working conditions; other faculty welfare provisions.

Contract provisions related to institutional decision-making were divided into five categories for analysis: rights and responsibilities; workload; personnel policies; grievances; and institutional planning, research, and budgeting.

Findings:

The data indicated that the duration of contract periods increased after negotiation of the initial contract. The percentage of contracts which were in effect for periods of only one year decreased steadily as indicated by the data in table 3.

Analysis of the contracts indicated that the scope of negotiations, with respect to faculty welfare and institutional decision-making, broadened as additional contracts were negotiated. None of the contract provisions examined decreased steadily as a percentage of contracts negotiated. The percentage of contracts in which the provisions were contained either increased or maintained their initial level. None of the provisions analyzed were deleted from more than five contracts after initial inclusion in a prior contract at the same institution.

These findings support the conclusion that collective bargaining contracts at public community colleges are cumulative in nature. Once included in a contract, a contract provision or area of negotiations is rarely deleted from subsequent contracts.

Tables 4 through 8 indicate the frequency of occurrence of institutional decision-making and faculty welfare contract provisions. The provisions are divided into four groups. Group one (table 4) includes those provisions which were included in at least 75 percent of initial contracts and which maintained or increased that level. The categories most frequently represented in this group were compensation, insurance, personal leaves, workload, personnel policies and grievances.

Group two (table 5) includes those provisions which were included in at least 50 percent of initial contracts and which maintained or increased that level. The most frequently represented categories in this group were those most frequent in group one plus staff development and rights responsibilities.

Group three (table 6) includes those provisions which were included in 25 to 50 percent of initial contracts and which maintained or increased that level of inclusion. In addition to those categories already identified as common in groups one and two, this group commonly included the categories of working conditions and other faculty welfare provisions.

Group four (table 7) includes those provisions which were initially included in less than 25 percent of the contracts, but which increased to at least 25 percent of subsequent contracts and maintained that level. It is worthy to note that the category

of institutional planning, research, and budgeting is only represented in this group and in the group (table 8) which never attained 25 percent of the contracts.

Group five (table 8) includes those provisions which were included in more than one contract, but which never attained the 25 percent level in later contracts. There were a substantial number of contract provisions which were included in only one contract. Those provisions are not included here since they appear to represent individual campus issues.

Analysis of the changes to contract provisions, after initial inclusion in a prior contract at the same college, revealed that compensation provisions, workload provisions, and personnel policy provisions were those most often modified among faculty welfare and institutional decision-making provisions. The data in table 9 indicate the number of changes which were made to provisions in the noted categories after initial inclusion of the provisions in a prior contract.

With some exceptions, analysis of the substantive changes to contract provisions which had been included in prior contracts revealed the following trends and/or patterns:

1. Salaries for the same or less workload increased as did compensation for overload teaching, summer teaching and/or counseling, or other additional duties such as coaching, service as an organization advisor, and/or service as a department or division chairperson.

2. Insurance coverage and/or the portion of cost for such coverage paid by management increased. This was particularly true with respect to health and life insurances.

3. Contract provisions which described professional, public service and/or personal leave policies became increasingly specific in subsequent contracts particularly with respect to application procedures and eligibility requirements. Applications for leaves of absence which were limited to a specific number during the contract period were reviewed increasingly by committees with membership drawn, at least partially, from the faculty.

4. Contract provisions which described support for staff development activities such as travel to conferences and membership fees were increasingly specific with respect to the amount of funding to be provided for such activities.

5. Contract provisions related to retirement; working conditions; rights and responsibilities; grievances; institutional planning, research and budgeting; did not change substantially after initial inclusion in the contracts.

6. Changes in workload provisions either reduced the quantity of work required for full-time compensation or more specifically defined the various workload components.

7. Changes in personnel policy provisions increased the procedural and substantive specificity of the faculty selection, appointment, evaluation, and termination processes. The changes increasingly specified the manner in which the faculty role in these processes was to be implemented. The primary vehicle for such involvement was faculty committees which were advisory in nature.

8. Analysis of the contracts from the perspective of institutional size, institutional location and affiliation of the union revealed that there is considerable variation between large and small community colleges located in the four states and considerable variation between contracts negotiated by the affiliates of the various national organizations which are active in higher education collective bargaining. These variations are only evident from a provision by provision analysis and do not provide clear evidence of patterns on a category basis.

Conclusion:

Collective bargaining has been successfully utilized to increase faculty welfare at public community colleges. It has also been partially successful in increasing faculty participation in institutional decision-making.

Additional research is needed to determine whether collective bargaining has been more successful than other systems of managing the employer-employee relationship in achieving these faculty goals. At the present time, collective bargaining continues to be a viable alternative.

FOOTNOTES

1. National Center for the Study of Collective Bargaining in Higher Education, History of Signed contracts, October, 1974.

2. Harold I. Goodwin and John Andes, Collective Bargaining in Higher Education: Contract Content -- 1972 (Morgantown: Department of Educational Administration, West Virginia University, 1972), pp. 121-24.

TABLE 1

CONTRACTS NEGOTIATED BY PARTICIPATING COLLEGES AND THE NUMBER AND PERCENT INCLUDED IN THE STUDY

State	Contracts Negotiated	Contracts Included	Percent of Total
Illinois	16	16	100
Michigan	57	48	84
New Jersey	15	15	100
New York	61	58	95
Totals	149	137	92

TABLE 2

INITIAL AND SUBSEQUENT CONTRACTS INCLUDED IN THE STUDY BY STATE

	Contract Number											
	First		Second		Third		Fourth		Fifth		Sixth	
State	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Illinois	4	100	4	100	4	100	2	100	1	100	1	100
Michigan	11	73	13	87	14	93	5	83	3	75	1	50
New Jersey	4	100	4	100	4	100	3	100	-	---	-	---
New York	15	83	18	100	18	100	6	100	1	100	-	---
Totals	34	83	39	95	40	98	16	94	5	83	2	67

TABLE 3

DURATION OF INITIAL AND SUBSEQUENT CONTRACT PERIODS

Length of Contract Period	First Contract		Second Contract		Third Contract		Fourth Contract	
	No.	%	No.	%	No.	%	No.	%
One year (N=67)	19	56	21	54	17	42	6	38
Two years (N=58)	15	44	17	44	19	48	5	31
Three years (N=11)	--	--	1	2	4	10	4	25
Four years (N=1)	--	--	--	--	--	--	1	6
Totals	34	100	39	100	40	100	16	100

TABLE 4

CONTRACT PROVISIONS CONTAINED IN AT LEAST SEVENTY-FIVE PERCENT OF INITIAL CONTRACTS THAT MAINTAINED OR INCREASED THAT PERCENTAGE OF SUBSEQUENT CONTRACTS

Contract Provision	Category	First Contract (N=34)		Second Contract (N=39)		Third Contract (N=40)		Fourth Contract (N=16)		Total Contracts (N=137)	
		NO.	%	NO.	%	NO.	%	No.	%	No.	%
Faculty Welfare											
Salaries	Compensation	34	100	39	100	40	100	16	100	137	100
Extra-duty Pay	Compensation	31	91	36	92	36	90	15	94	126	92
Overload Teaching Pay	Compensation	27	79	34	87	36	90	15	94	120	89
Hospital/Surgical Ins.	Insurance	32	94	38	97	39	98	16	100	133	97
Major Medical Ins.	Insurance	29	85	35	89	37	92	16	100	125	91
Sabbatic Leaves	Prof. Leaves	29	85	36	89	38	85	16	100	127	93
Sick Leave Policy	Personal Leave	32	94	39	100	40	100	16	100	135	99
Maternity/Adoptive Leave	Personal Leave	28	82	35	89	37	92	15	94	123	90
Personal Business Leave	Personal Leave	26	76	32	82	34	85	13	81	112	82
Institutional Decision Making											
Management Rights	Rights/Respon.	27	79	32	82	36	90	14	88	115	84
Teaching Load	Workload	33	97	37	95	38	95	16	100	132	96
Office Hours	Workload	29	85	33	85	37	92	14	88	122	89
Academic Calendar	Workload	27	79	32	82	33	83	14	88	112	82
Saturday/Evening Classes	Workload	27	76	32	82	33	83	14	88	112	82
Non-teaching Respon.	Workload	26	76	35	89	37	92	14	88	120	88
Appointment Policy	Personnel Policy	28	82	36	92	37	92	15	94	122	89
Tenure Policy	Personnel Policy	32	94	37	95	38	95	16	100	130	95
Personnel Evaluation Policy	Personnel Policy	27	79	31	79	33	83	13	81	112	82
Dismissal Procedures	Personnel Policy	27	79	31	79	31	79	12	75	107	78
Personnel Files Policy	Personnel Policy	26	76	31	79	33	83	15	94	107	78
Senior Rights	Personnel Policy	26	76	30	77	33	83	13	81	110	80
Non-renewal Procedures	Personnel Policy	26	76	35	90	37	92	14	88	117	85
Reappointment Policy	Personnel Policy	26	76	35	90	37	92	15	94	121	88
Grievance Procedures	Grievances	20	90	38	97	40	100	16	100	132	96
Grievance Definition	Grievances	29	85	37	95	39	98	15	94	126	92
Right to Representation	Grievances	29	85	36	92	37	92	15	94	123	90

TABLE 5

CONTRACT PROVISIONS CONTAINED IN FIFTY PERCENT TO SEVENTY-FIVE PERCENT OF INITIAL CONTRACTS THAT MAINTAINED OR INCREASED THAT PERCENTAGE IN SUBSEQUENT CONTRACTS

		First Contract (N=34)		Second Contract (N=39)		Third Contract (N=40)		Fourth Contract (N=16)		Total Contracts (N=137)	
Contract Provision	Category	No.	%	No.	%	No.	%	No.	%	No.	%
Faculty Welfare											
Summer Pay	Compensation	21	62	30	77	30	75	13	81	102	74
Time, Method Pay	Compensation	18	53	26	67	27	68	12	75	90	66
Payroll Deductions	Compensation	23	67	35	89	36	90	13	81	113	82
Disability Insurance	Insurance	19	56	24	61	28	70	12	76	90	66
Life Insurance	Insurance	18	53	23	59	24	60	10	63	82	60
Return Sabbatic	Prof. Leaves	25	74	29	74	32	80	11	69	105	77
Government Service	Pub. Svc. Leave	21	62	24	61	27	68	12	75	91	66
Advanced Study	Prof. Leave	20	59	28	72	27	68	11	69	93	68
Court Required Leave	Personal Leave	24	71	32	82	32	80	11	69	109	80
Extended Illness	Personal Leave	21	62	27	69	27	68	12	75	95	69
Bereavement Leave	Personal Leave	20	59	27	69	29	73	13	81	96	70
Travel Funds	Prof. Development	19	56	23	59	25	63	30	75	97	71
Conference, Tuition	Prof. Development	22	65	24	61	27	68	14	88	87	64
Retirement Program	Miscellaneous	22	65	26	67	26	65	10	63	89	65
Faculty Tuition Remission	Miscellaneous	21	62	20	51	25	63	11	69	80	58
Maintain Benefits	Miscellaneous	19	56	26	67	25	63	10	63	87	64
Institutional Decision Making											
Faculty Rights	Rights/Respons.	25	74	31	79	33	83	11	69	103	75
Academic Freedom	Rights/Respons.	23	67	35	90	35	87	14	88	115	84
Faculty Responsibility	Rights/Respons.	18	53	24	61	28	70	11	69	86	63
Class Size Limits	Workload	23	67	33	85	33	83	16	100	113	83
Counselor/Librarian	Workload	22	65	26	67	33	85	12	75	101	74
Summer Assignments	Workload	21	62	30	77	30	75	13	81	102	75
Limits on Preparations	Workload	20	59	23	59	23	58	12	75	83	61
Staff Reduction Policy	Personnel	24	71	28	72	28	70	15	94	101	74
Binding Arbitration	Grievances	25	74	32	82	33	83	13	63	104	76
Purpose Statement	Grievances	17	50	23	59	24	60	11	69	79	58

TABLE 6

CONTRACT PROVISIONS CONTAINED IN TWENTY-FIVE PERCENT TO FIFTY PERCENT OF INITIAL CONTRACTS THAT INCREASED OR MAINTAINED THAT LEVEL

Contract Provision	Category	First Contract (N=34)		Second Contract (N=39		Third Contract (N=40)		Fourth Contract (N=16)		Total Contracts (N=137)	
		No.	%	No.	%	No.	%	No.	%	No.	%
Faculty Welfare											
Placement Salary Schedule	Compensation	14	41	15	38	16	40	17	44	57	42
Exchange Teaching Leave	Professional Leaves	13	38	17	44	17	43	9	56	63	46
Political Office Leave	Pub. Service Leave	12	35	13	33	14	35	6	38	49	36
Prof. Assoc. Officer Leave	Prof. Leave	10	28	13	33	14	35	5	31	46	34
Limits, No. Sabattics	Prof. Leave	15	44	19	49	20	50	8	50	69	50
Annual Leave (Calendar Emp.)	Personal Leave	14	41	20	51	21	52	10	63	67	48
Religious Leave	Personal Leave	9	26	10	25	11	23	6	38	38	28
Parking Facilities	Working Cond.	17	50	15	38	16	40	8	50	60	44
Office Space/Furnishings	Working Cond.	15	44	16	41	18	45	7	44	60	44
Secretarial/Clerical Asst.	Working Cond.	14	41	15	38	15	38	6	38	52	38
Cost of Physical Exams	Miscellaneous	11	32	14	36	16	40	8	50	54	39
Retirement Policy	Miscellaneous	17	50	19	49	18	45	9	46	68	50
Family Tuition Remission	Miscellaneous	12	35	12	31	17	43	8	50	51	37
Cost of Academic Attire	Miscellaneous	12	35	10	25	12	30	4	25	39	28
Institutional Decision Making											
Commitment Quality Educ.	Right/Respons.	15	44	20	51	21	52	10	63	71	52
Limits, Part-Time Faculty	Rights/Respons.	11	32	13	33	15	38	6	38	54	39
Department Rights	Rights/Respons.	10	29	18	46	15	38	6	33	52	38
Maintain Previous Rights	Rights/Respons.	14	41	16	41	16	40	7	44	54	39
Maintain Previous Benefits	Rights/Respons.	15	44	18	46	17	43	6	38	57	42
Course Assignment/Sched.	Workload	16	47	24	61	25	63	14	88	85	62
Limits, College Day	Workload	16	47	21	54	25	63	10	63	78	57
Student Activites Voluntary	Workload	14	41	16	41	17	43	8	50	59	43
Academic Advisement Load	Workload	11	32	16	41	15	38	8	50	52	38
Required Faculty Meetings	Workload	14	41	16	41	18	45	8	50	49	36
Limits, College Week	Workload	11	32	16	41	22	65	8	50	61	44
Disciplines-Faculty Members	Personnel Policy	15	44	20	51	21	52	8	50	67	49
Promotion Policy	Personnel Policy	11	32	16	41	19	48	8	50	56	41
Transfer Policy	Personnel Policy	10	28	16	41	15	38	8	50	53	39

TABLE 7

CONTRACT PROVISIONS CONTAINED IN LESS THAN TWENTY-FIVE PERCENT OF INITIAL CONTRACTS THAT INCREASED TO GREATER THAN TWENTY-FIVE PERCENT OF SUBSEQUENT CONTRACTS AND MAINTAINED THAT LEVEL

Contract Provision	Category	First Contract (N=34)		Second Contract (N=39)		Third Contract (N=40)		Fourth Contract (N=16)		Total Contracts (N=137)	
		No.	%	No.	%	No.	%	No.	%	No.	%
Faculty Welfare											
Promotion Pay	Compensation	8	24	11	28	15	38	4	25	39	28
Dept. Chairperson	Compensation	4	12	11	28	14	35	7	44	41	30
Accidental Death	Insurance	6	18	7	18	10	25	4	25	30	22
Emergency Leave	Personal Leave	7	21	11	28	10	25	5	31	35	26
Telephone Services	Working Conditions	5	14	6	15	6	15	4	25	21	15
Faculty Lounge	Working Conditions	4	12	5	13	7	18	4	25	23	17
Tax Sheltered Ann	Miscellaneous	7	21	12	31	12	30	5	31	39	29
Sick Leave Retirement	Miscellaneous	4	12	5	13	7	18	7	44	27	20
Institutional Decsion Making											
Code of Ethics	Rights/Respons.	6	18	7	18	8	20	4	25	25	18
Limits, Off Campus	Workload	3	19	6	15	7	18	4	25	23	17
New Course, Program	Planning, Research	5	14	9	23	10	25	5	31	30	22
Institutional Planning	Planning, Research	4	12	8	21	10	25	4	25	28	20

TABLE 8

CONTRACT PROVISIONS CONTAINED IN MORE THAN ONE CONTRACT BUT LESS THAN TWENTY-FIVE PERCENT OF INITIAL AND SUBSEQUENT CONTRACTS

Contract Provisions	Category	First Contract (N=34)		Second Contract (N=39)		Third Contract (N=40)		Fourth Contract (N=16)		Total Contracts (N=137)	
		No.	%	No.	%	No.	%	No.	%	No.	%
Faculty Welfare											
Longevity Pay	Compensation	1	3	1	2	1	2	2	13	10	7
Other Merit/Award Pay	Compensation	1	3	1	2	1	2	3	19	6	4
Termination Pay	Compensation	4	12	4	10	6	15	3	19	20	15
Dental Insurance	Insurance	2	6	4	10	4	10	--	--	10	7
Travel Insurance	Insurance	1	3	2	5	3	8	3	19	10	7
Group Auto Insurance	Insurance	1	3	1	2	1	3	1	6	5	4
Group Homeowner's Insurance	Insurance	1	3	1	2	1	3	1	6	5	4
Industrial Leave	Professional Leaves	6	18	6	15	6	15	1	6	19	14
Graduation Leave	Personal Leave	3	9	3	8	3	8	1	6	10	7
Marriage Leave	Personal Leave	2	6	2	5	2	5	1	6	7	5
Funds, Prof. Publications	Professional Devel.	--	--	2	5	3	8	2	13	7	5
Funds, Prof. Membership	Professional Devel.	1	3	4	10	5	13	1	6	11	8
Safety and Health	Working Conditions	8	24	8	21	9	23	3	19	29	21
Institutional Decision Making											
Advisory Arbitration	Grievance	1	3	2	5	2	5	1	6	6	4
Innovation, Special Program	Planning, Research	2	6	4	10	4	10	3	9	16	12
Institutional Research	Planning, Research	3	9	2	5	2	5	2	13	10	7

TABLE 9

FREQUENCY OF CONTRACT PROVISION CHANGES BY CATEGORY

Contract Provision Category	Total Number of Changes	Percent of Total
Faculty Welfare		
Compensation	214	26.1
Personal Leaves	80	9.8
Insurances	63	7.8
Professional & Public Svc. Leaves	31	3.8
Staff Development	31	3.8
Working Conditions	13	1.6
Other Faculty Welfare Provisions	25	3.1
Sub-totals	457	56.0
Institutional Decision-Making		
Workload Provisions	205	25.0
Personnel Policies	113	13.8
Rights and Responsibilities	21	2.6
Grievances	20	2.5
Institutional Planning, Research, and Budgeting	3	.1
Sub-totals	362	44.0
Totals	819	100.0

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